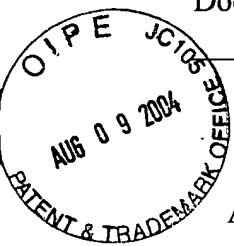


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## AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Schlothauer et al.  
Appl. No. : 10/070,406  
Filed : October 7, 2002  
For : IMPROVED BIOACTIVE  
WHEY PROTEIN  
HYDROLYSATE  
Examiner : Unknown  
Group Art Unit : 1645

## CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 4, 2004

(Date)

  
Andrew N. Merickel, Reg. No. 53,317

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Preliminary Amendment in 8 pages.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Andrew N. Merickel  
Registration No. 53,317  
Attorney of Record  
Customer No. 20,995  
(415) 954-4114

DAIRY71.001APC



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Schlothauer et al.  
Appl. No. : 10/070,406  
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August 4, 2004

(Date)

Andrew N. Merickel, Reg. No. 53,317

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Prior to examination on the merits, please amend the above-captioned application as indicated below.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.